

UNITED STATES DISTRICT COURT

for

EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. TAMMY MULLEN

Docket No. 7:12-CR-106-2BO

Petition for Action on Probation

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tammy Mullen, upon an earlier plea of guilty to Manufacture and/or Possess with Intent to Distribute a Quantity of Marijuana and Aiding and Abetting, 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and Use and Possession of a Firearm in Relation to and in Furtherance of a Drug Trafficking Crime and Aiding and Abetting, 18 U.S.C. § 924 (c) and 18 U.S.C. § 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 7, 2014, to a 4 year term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 150 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall have no contact with co-defendant David Beck.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 18, 2014, the probationer was arrested by the Jacksonville Police Department, Jacksonville, NC, and charged with Speeding and Driving While Impaired, Case 14CR52442. The probationer admitted to drinking alcoholic beverages prior to driving her car to Jacksonville to take a friend home that night. According to the court file, she blew a .11 on the chemical breath test. Disposition is pending in this case in Onslow County District Court, Jacksonville, NC.

Ms. Mullen admits to making a poor decision when she decided to drive after consuming alcohol. As a sanction for her behavior, she has agreed to have her supervision conditions modified to include alcohol abstinence, as well as, drug aftercare and cognitive behavioral treatment programs. The cognitive behavioral therapy program is designed to enhance one's self-image and promote development of positive stages of moral reasoning. Other than this incident Ms. Mullen is in compliance with her conditions of supervision.

The probationer signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: May 1, 2014

ORDER OF COURT

Considered and ordered this 1 day of May, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge